

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

SHEILA PORTER

Plaintiff,

v.

ANDREA CABRAL, SUFFOLK COUNTY  
SHERIFF'S DEPARTMENT, and SUFFOLK  
COUNTY

Defendants.

Civil Action No.04-11935-DPW

**JOINT MOTION FOR ORAL ARGUMENT ON  
MOTION FOR RELIEF FROM JUDGMENT**

Plaintiff Sheila Porter<sup>1</sup> and Defendants Sheriff Andrea Cabral and the Suffolk County Sheriff's Department ("the parties"), jointly move this Court to allow oral argument, if necessary, on the parties' Motion for Relief From Judgment ("Motion"). Oral argument will assist the Court in resolving the Motion, which was filed in this Court on November 9, 2007, to the extent that the relief sought is unclear or the Court has any questions pertaining to the Motion. The parties did not request oral argument in the Motion.

WHEREFORE the parties respectfully request that this Court schedule oral argument on the Motion. To accommodate counsel's vacation plans, the parties request that oral argument be scheduled subsequent to February 25, 2008.

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<sup>1</sup> Sheila Porter passed away on September 17, 2007. On November 23, 2007, the First Circuit granted plaintiff's motion to substitute John Porter, Sr., as personal representative of the estate of Sheila Porter, as plaintiff in this matter.

Respectfully submitted,

SHEILA PORTER

ANDREA CABRAL and

SUFFOLK COUNTY  
SHERIFF'S DEPARTMENT

By her attorneys,

By their attorneys,

/s/ David S. Schumacher

Joseph F. Savage Jr. (BBO # 443030)  
David S. Schumacher (BBO # 647917)  
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/s/ James Davin

James Davin (BBO # 566793)  
Ellen M. Caulo (BBO # 545250)  
SUFFOLK COUNTY SHERIFF'S  
DEPARTMENT  
200 Nashua Street  
Boston, MA 02114

Dated: February 20, 2008

**CERTIFICATION UNDER LOCAL RULE 7.1 AND**  
**CERTIFICATE OF SERVICE**

I, David S. Schumacher, hereby certify that counsel for plaintiff conferred with defense counsel in a good faith attempt to resolve or narrow the issues in this motion prior to its filing and defendants join in this motion.

I further certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non registered participants on this 20<sup>th</sup> day of February, 2008.

/s/ David S. Schumacher

David S. Schumacher